

IN THE  
Court of Appeal of the State of California

IN AND FOR THE  
Fifth Appellate District

**COURTROOM PROCEEDINGS**

The court met in its courtroom at 10:00 A.M. Present: Honorable, Timothy S. Buckley, Acting Presiding Justice; Honorable Dennis A. Cornell, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F034185      Marcus v. State of California Dept. of Corrections; City of Corcoran**

Parties stipulate that (1) Dibiaso, J., the absent assigned justice, participate in the determination of this appeal, and (2) Dibiaso, J. to listen to the tape recording of oral proceedings upon his return.

Cause called and argued by Howard Marcus, appellant in propria persona and by Bruce Braverman, Deputy Attorney General, counsel for respondent Department of Corrections. John Rozier, Esq., counsel for respondent City of Corcoran waived oral argument.

Submission deferred until Monday, May 21, 2001 for Dibiaso, J. to listen to the tape recording of oral argument.

Court recessed until Friday, May 18, 2001 at 1:30 P.M.

The court reconvened in its courtroom at 1:30 P.M. Present: Honorable Nickolas J. Dibiaso, Acting Presiding Justice; Honorable Timothy S. Buckley, Associate Justice; Honorable Rebecca A. Wiseman, Associate Justice; and Eve Sproule, Court Administrator/Clerk, by Diana Monopoli, Deputy Clerk.

**F035375      Banner v. San Joaquin Community Hospital; Bakersfield Family Medical Group et al.**

Cause called and argued by Lester Banner, appellant in propria persona and by Michael Ball, Esq., counsel for respondent San Joaquin Community Hospital. John A. Jurich, Esq., counsel for respondent Bakersfield Family Medical Group, et al. waived oral argument.

Cause ordered submitted.

At this point Buckley, J. leaves the bench and is replaced by Cornell, J.

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**F033583      Donald Puckett et al. v. Douglas Roberts**

Cause called and argued by David Drexler, Esq., counsel for appellant Puckett et al. and by John A. Jurich, Esq., counsel for respondent Roberts.

Cause ordered submitted.

The court adjourns.

**F036987      In re Sylvia K., a Minor**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

**F036987      In re Sylvia K., a Minor**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F034891      People v. Wiley**

Counsel having failed to request oral argument in the above-entitled case, oral argument is deemed waived in accordance with the provisions of a notice heretofore mailed to counsel and the cause is submitted.

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**F034891      People v. Wiley**

The judgment is affirmed.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F037538      People v. Gomez**

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

**F037078      In re Jose B., Jr., a Minor**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F032309      People v. Sandoval**

On this court's own motion and for good cause shown, the order filed in this court on June 28, 2000, consolidating the petition for writ of habeas corpus filed by petitioner Alfredo Jose Sandoval, case No. F035923, with the appeal filed in People v. Sandoval, case No. F032309, is hereby vacated. All pleadings hereafter shall be filed in the case number assigned prior to the consolidation order

**F034845      People v. Nava**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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**F034845      People v. Nava**

IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed. Cornell, J.

We concur: Harris, Acting P.J.; Wiseman, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

**F032743      People v. Salazar**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

**F033963      People v. Populin**

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.